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**U.S. District Court  
Western District of North Carolina (Charlotte)  
CIVIL DOCKET FOR CASE #: 3:07-cv-00492-RJC -DSC**

Davis v. United States Department of Defense  
Assigned to: Chief Judge Robert J. Conrad, Jr  
Referred to: Magistrate Judge David S. Cayer  
Cause: 05:552 Freedom of Information Act

Date Filed: 11/19/2007  
Date Terminated: 08/03/2010  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Jeffrey Davis**

represented by **George S. Daly**  
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*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**US Department of Defense**

represented by **James Michael Sullivan**  
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Date Filed	#	Docket Text
11/19/2007	<a href="#"><u>1</u></a>	COMPLAINT against United States Department of Defense ( Filing fee \$ 350 receipt number 430361.), filed by Jeffrey Davis.(Daly, George) (Entered: 11/19/2007)

11/19/2007		Case Assigned to Judge Robert J. Conrad, Jr, as presider and Carl Horn, III, as referral. <i>This is your only notice - you will not receive a separate document.</i> (dtr) Modified on 11/19/2007 (Reid, Deidre). (Entered: 11/19/2007)
11/19/2007		NOTICE of ECF Case Opening Error re: <a href="#">1</a> Complaint Summons not issued. Filer shall conventionally or electronically submit civil summons for issuance to the Clerk of Court. (dtr) (Entered: 11/19/2007)
11/20/2007	<a href="#">2</a>	Summons Issued Electronically as to United States Department of Defense. <b>NOTICE: Counsel shall print the summons and serve with other case opening documents in accordance with Fed.R.Civ.P.4 and Local Rule 73.1(A)(2).</b> (tmg) (Entered: 11/20/2007)
11/26/2007	<a href="#">3</a>	SUMMONS Returned Executed by Jeffrey Davis. United States Department of Defense served on 11/21/2007, answer due 1/22/2008. (Daly, George) (Entered: 11/26/2007)
11/27/2007	<a href="#">4</a>	CORPORATE Disclosure Statement by Jeffrey Davis.(Daly, George) (Entered: 11/27/2007)
12/08/2007	<a href="#">5</a>	CERTIFICATE OF SERVICE by Jeffrey Davis on <i>U.S. Attorney General and U.S. Department of Defense</i> (Daly, George) (Entered: 12/08/2007)
01/18/2008	<a href="#">6</a>	ANSWER to Complaint by United States Department of Defense.(Sullivan, James) (Entered: 01/18/2008)
01/22/2008		NOTICE pursuant to Local Rule 16.1 you are <b>required</b> to conduct an Initial Attorney's Conference within 14 days of receipt of this Notice. At the conference, the parties are <b>required</b> to discuss the issue of consent to jurisdiction of a magistrate judge in accordance with Local Rules 16.1(A) and 73.1(C). The <a href="#">Certificate of Initial Attorney's Conference</a> should be filed within 5 days of the conference. If appropriate, a party may file a Motion to Stay the Initial Attorney's Conference. (com) (Entered: 01/22/2008)
02/04/2008	<a href="#">7</a>	CERTIFICATION of initial attorney conference and discovery plan by United States Department of Defense.(Sullivan, James) (Entered: 02/04/2008)
02/13/2008		NOTICE of Hearing: Pretrial Conference set for 3/4/2008 11:30 AM in Chambers before Chief Judge Robert J. Conrad Jr. <i>This is your only notice - you will not receive a separate document.</i> (ssh) (Entered: 02/13/2008)
03/04/2008		Minute Entry for proceedings held before Chief Judge Robert J. Conrad, Jr: Pretrial Conference held on 3/4/2008. Plaintiffs attorney: Daly.Defendants attorney: Sullivan, Henry by phone, Hourican by phone. (ssh) (Entered: 03/05/2008)

03/07/2008	<a href="#">8</a>	Pretrial Order and Case Management Plan: Motions due by 5/8/2008, responses due 6/23/08, Replies due 7/7/08, Status Report due 4/4/08. Signed by Chief Judge Robert J. Conrad, Jr on 3/7/08. (bsw) (Entered: 03/07/2008)
03/07/2008		Set/Reset Deadlines: Status Report due by 4/4/2008. (bsw) (Entered: 03/07/2008)
03/21/2008	<a href="#">9</a>	NOTICE of Appearance by William Benjamin Jaffe on behalf of United States Department of Defense (Jaffe, William) (Entered: 03/21/2008)
04/04/2008	<a href="#">1</a> <a href="#">0</a>	STATUS REPORT <i>dated April 4, 2008</i> by United States Department of Defense (Attachments: # <a href="#">1</a> Declaration of James K. Hourican)(Jaffe, William) (Entered: 04/04/2008)
05/01/2008	<a href="#">1</a> <a href="#">1</a>	RESPONSE by Jeffrey Davis to <a href="#">10</a> Status Report and in Support of <a href="#">12</a> Motion. (Attachments: # <a href="#">1</a> Response To Status Report, Part II, # <a href="#">2</a> Affidavit, # <a href="#">3</a> Affidavit Part II)(Daly, George) Modified text on 5/5/2008 and linked to 10 & 12 (MacEwan, Cathy). (Entered: 05/01/2008)
05/01/2008	<a href="#">1</a> <a href="#">2</a>	MOTION (1) process non-suicide documents and move for summary judgment; (2) defer fee issue, alternatively rule for plaintiff; (3) initiate security clearance processing. by Jeffrey Davis.Responses due by 5/19/2008. (Daly, George) (Entered: 05/01/2008)
05/06/2008	<a href="#">1</a> <a href="#">3</a>	MOTION for Extension of Scheduling Deadlines <i>extending deadline to file defendant's dispositive motion to June 5, 2008, and extending deadline to June 5, 2008 to oppose plaintiff's motions (concerning date for summary judgment, plaintiff's fee commitment, and plaintiff's security status)</i> by United States Department of Defense.Responses due by 5/23/2008. (Jaffe, William). Motions referred to Carl Horn, III. (Entered: 05/06/2008)
05/06/2008	<a href="#">1</a> <a href="#">4</a>	ORDER granting <a href="#">13</a> Motion for Extension of Scheduling Deadlines. Signed by Magistrate Judge Carl Horn, III on 5/6/2008. (klg) (Entered: 05/06/2008)
05/06/2008		Per Order signed 5/6/2008 by United States Magistrate Judge Carl Horn, III Reset Deadlines: Defendant Brief due by 6/5/2008. Motions due by 8/6/2008. (klg) (Entered: 05/06/2008)
05/13/2008	<a href="#">1</a> <a href="#">5</a>	STATUS REPORT by United States Department of Defense (Jaffe, William) (Entered: 05/13/2008)
06/05/2008	<a href="#">1</a> <a href="#">6</a>	Miscellaneous Filing by Jeffrey Davis. <i>Partial Withdrawal of Motions (See Doc. 12)</i> (Daly, George) (Entered: 06/05/2008)

06/05/2008	<a href="#"><u>1</u></a> <a href="#"><u>7</u></a>	NOTICE of Appearance by Terry Marcus Henry on behalf of United States Department of Defense (Henry, Terry) (Entered: 06/05/2008)
06/05/2008	<a href="#"><u>1</u></a> <a href="#"><u>8</u></a>	RESPONSE to Motion re <a href="#"><u>12</u></a> MOTION (1) process non-suicide documents and move for summary judgment; (2) defer fee issue, alternatively rule for plaintiff; (3) initiate security clearance processing. by United States Department of Defense. Replies due by 6/19/2008. (Attachments: # <a href="#"><u>1</u></a> Exhibit 1 - Declaration of Terry M. Henry)(Henry, Terry) (Entered: 06/05/2008)
06/08/2008	<a href="#"><u>1</u></a> <a href="#"><u>9</u></a>	Notice of Withdrawal of document by Jeffrey Davis ***Documents terminated: <a href="#"><u>12</u></a> MOTION (1) process non-suicide documents and move for summary judgment; (2) defer fee issue, alternatively rule for plaintiff; (3) initiate security clearance processing. filed by Jeffrey Davis. (Daly, George) (Entered: 06/08/2008)
07/29/2008	<a href="#"><u>2</u></a> <a href="#"><u>0</u></a>	Consent MOTION for Extension of Time to August 27, 2008 (on consent both sides) <i>extending deadline for defendant's motion for summary judgment to 8/27/08</i> by United States Department of Defense.Responses due by 8/15/2008. (Jaffe, William). Motions referred to Carl Horn, III. (Entered: 07/29/2008)
07/29/2008		TEXT-ONLY ORDER granting <a href="#"><u>20</u></a> Motion for Extension of Time to August 27, 2008 <i>Text of Order: Motion granted. Defendant's Motion for Summary Judgment due on or before August 27, 2008. Response brief due September 10, 2008, and reply brief due September 24, 2008. So Ordered.</i> Entered by Magistrate Judge Carl Horn, III on 07/29/2008. (Grigg, David) (Entered: 07/29/2008)
08/21/2008	<a href="#"><u>2</u></a> <a href="#"><u>1</u></a>	Consent MOTION for Extension of Time to September 10, 2008 <i>to file defendant's dispositive motion</i> by United States Department of Defense.Responses due by 9/8/2008. (Jaffe, William). Motions referred to Carl Horn, III. (Entered: 08/21/2008)
08/22/2008		TEXT-ONLY ORDER granting <a href="#"><u>21</u></a> Motion for Extension of Time to 9/10/2008 <i>Text of Order: Motion granted. Dispositive motion due 9/10/2008, response brief due 10/3/2008, reply brief due 10/17/2008. So Ordered.</i> Entered by Magistrate Judge Carl Horn, III on 8/22/2008. (Grigg, David) (Entered: 08/22/2008)
09/10/2008	<a href="#"><u>2</u></a> <a href="#"><u>2</u></a>	MOTION for Summary Judgment by United States Department of Defense.Responses due by 9/29/2008. (Attachments: # <a href="#"><u>1</u></a> Appendix Kaster Declaration, # <a href="#"><u>2</u></a> Appendix Reheuser Declaration, # <a href="#"><u>3</u></a> Appendix Hodgkinson Declaration, # <a href="#"><u>4</u></a> Appendix Johnson Declaration, # <a href="#"><u>5</u></a> Appendix Mitchell Declaration, # <a href="#"><u>6</u></a> Appendix Ceglio Declaration, # <a href="#"><u>7</u></a> Appendix Thomas Declaration, # <a href="#"><u>8</u></a> Appendix Exhibit A to Thomas Decl., # <a href="#"><u>9</u></a> Appendix Ex B to Thomas Decl., # <a href="#"><u>10</u></a> Appendix Ex C to Thomas Decl., # <a href="#"><u>11</u></a> Appendix Ex D to Thomas Decl., # <a href="#"><u>12</u></a> Appendix Ex E to Thomas Decl., # <a href="#"><u>13</u></a> Appendix Ex F to Thomas Decl., # <a href="#"><u>14</u></a> Appendix Peterson Decl., # <a href="#"><u>15</u></a> Appendix Kammer Decl., # <a href="#"><u>16</u></a> Appendix Butterfield Decl., # <a href="#"><u>17</u></a> Appendix Hardy Decl., # <a href="#"><u>18</u></a> Appendix Grafeld Decl.)(Jaffe, William) (Entered: 09/10/2008)

09/10/2008	<a href="#"><u>2</u></a> <a href="#"><u>3</u></a>	Consent MOTION for Leave to File Excess Pages <i>re: defendant's brief in support of motion for summary judgment</i> by United States Department of Defense.Responses due by 9/29/2008. (Jaffe, William). Motions referred to Carl Horn, III. (Entered: 09/10/2008)
09/12/2008		TEXT-ONLY ORDER granting <a href="#"><u>23</u></a> Motion for Leave to File Excess Pages <i>Text of Order: Motion granted. Movant may file 34-page brief in support of dispositive motion. So Ordered.</i> Entered by Magistrate Judge Carl Horn, III on 9/12/2008. (Grigg, David) (Entered: 09/12/2008)
09/29/2008	<a href="#"><u>2</u></a> <a href="#"><u>4</u></a>	Consent MOTION for Extension of Time to File Response/Reply <i>to Summary Judgment Motion</i> , by Jeffrey Davis.Responses due by 10/16/2008. (Daly, George). Motions referred to Carl Horn, III. (Entered: 09/29/2008)
09/30/2008		TEXT-ONLY ORDER granting <a href="#"><u>24</u></a> Motion for Extension of Time to File Response/Reply <i>re <a href="#"><u>22</u></a> MOTION for Summary Judgment Responses due by 10/13/2008. Replies due by 11/17/2008. Text of Order: Motion granted. So Ordered.</i> Entered by Magistrate Judge Carl Horn, III on 9/30/2008. (Grigg, David) (Entered: 09/30/2008)
10/10/2008	<a href="#"><u>2</u></a> <a href="#"><u>5</u></a>	Consent MOTION for Extension of Time to File Response/Reply <i>to Motion for Summary Judgment</i> by Jeffrey Davis.Responses due by 10/27/2008. (Daly, George). Motions referred to Carl Horn, III. (Entered: 10/10/2008)
10/10/2008	<a href="#"><u>2</u></a> <a href="#"><u>6</u></a>	ORDER granting <a href="#"><u>25</u></a> Motion for Extension of Time to File Response/Reply <i>re <a href="#"><u>25</u></a> Consent MOTION for Extension of Time to File Response/Reply to Motion for Summary Judgment Responses due by 10/17/2008. Replies due by 11/24/2008. Signed by Magistrate Judge Carl Horn, III on 10/10/08. (dtr)</i> (Entered: 10/10/2008)
10/17/2008	<a href="#"><u>2</u></a> <a href="#"><u>7</u></a>	RESPONSE in Opposition <i>re <a href="#"><u>22</u></a> MOTION for Summary Judgment of Defendant</i> , by Jeffrey Davis. Replies due by 10/31/2008. (Attachments: # <a href="#"><u>1</u></a> Exhibit Continuation of Main Document, # <a href="#"><u>2</u></a> Exhibit Continuation of Main Document, # <a href="#"><u>3</u></a> Exhibit Continuation of Main Document, # <a href="#"><u>4</u></a> Continuation of Main Document, # <a href="#"><u>5</u></a> Exhibit Compact disc index, # <a href="#"><u>6</u></a> Exhibit Compact disc index, # <a href="#"><u>7</u></a> Exhibit Compact disc index, # <a href="#"><u>8</u></a> Exhibit Tarver Declaration Part 1 of 2, # <a href="#"><u>9</u></a> Exhibit Tarver Declaration Part 1 of 2, # <a href="#"><u>10</u></a> Exhibit Boston Globe Article, # <a href="#"><u>11</u></a> Exhibit Chicago Sun-Times Article, # <a href="#"><u>12</u></a> Exhibit Page JMG-84, # <a href="#"><u>13</u></a> Exhibit Page JMG-432, # <a href="#"><u>14</u></a> Exhibit Page JMG-540, # <a href="#"><u>15</u></a> Affidavit Daly Declaration)(Daly, George) (Entered: 10/17/2008)
10/18/2008	<a href="#"><u>2</u></a> <a href="#"><u>8</u></a>	MOTION for Summary Judgment by Jeffrey Davis.Responses due by 11/4/2008. (Daly, George) (Entered: 10/18/2008)
10/20/2008	<a href="#"><u>2</u></a> <a href="#"><u>9</u></a>	Exhibits 1,2,3 received by Jeffrey Davis to <a href="#"><u>27</u></a> Response in Opposition to Motion <i>(CDs maintained in clerk's office.)</i> (com) (Entered: 10/21/2008)

11/04/2008	<a href="#">30</a>	Notice of Substitution of Counsel by Joseph C. Folio, III on behalf of United States Department of Defense, Attorney William Benjamin Jaffe terminated. (Folio, Joseph) (Entered: 11/04/2008)
11/04/2008	<a href="#">31</a>	MOTION for Extension of Time to File Response/Reply as to <a href="#">26</a> Order on Motion for Extension of Time to File Response/Reply, <a href="#">28</a> MOTION for Summary Judgment <i>until November 24, 2008</i> by United States Department of Defense.Responses due by 11/21/2008. (Folio, Joseph). Motions referred to Carl Horn, III. (Entered: 11/04/2008)
11/04/2008		TEXT-ONLY ORDER granting <a href="#">31</a> Motion for Extension of Time to File Response/Reply re <a href="#">28</a> MOTION for Summary Judgment Responses due by 11/24/2008. <i>Text of Order: Motion granted. Defendant's response to Plaintiff's Motion for Summary Judgment due November 24, 2008. So Ordered.</i> Entered by Magistrate Judge Carl Horn, III on 11/04/2008. (Grigg, David) Modified on 11/5/2008 - text correction(bsw). (Entered: 11/04/2008)
11/07/2008	<a href="#">32</a>	Addendum to <a href="#">28</a> MOTION for Summary Judgment by Jeffrey Davis. (Daly, George) Modified text on 11/7/2008 (com). (Entered: 11/07/2008)
11/24/2008	<a href="#">33</a>	REPLY to Response to Motion re <a href="#">32</a> Amended MOTION for Summary Judgment ( <i>See Dkt. 28</i> ), <a href="#">22</a> MOTION for Summary Judgment, <a href="#">28</a> MOTION for Summary Judgment by United States Department of Defense. (Attachments: # <a href="#">1</a> Exhibit Declaration JTF-GTMO, # <a href="#">2</a> Exhibit Declaration DoD OGC, # <a href="#">3</a> Exhibit Declaration OARDEC, # <a href="#">4</a> Exhibit DoD FOIA Reading Room Docs ISN 588)(Folio, Joseph) (Entered: 11/24/2008)
12/07/2008	<a href="#">34</a>	REPLY to Response to Motion re <a href="#">28</a> MOTION for Summary Judgment by Jeffrey Davis. (Attachments: # <a href="#">1</a> Exhibit Exhibit 1)(Daly, George) (Entered: 12/07/2008)
01/28/2009	<a href="#">35</a>	Supplemental Memorandum by Jeffrey Davis as to <a href="#">32</a> Amended MOTION for Summary Judgment ( <i>See Dkt. 28</i> ), <a href="#">28</a> MOTION for Summary Judgment by Jeffrey Davis. (Daly, George) (Entered: 01/28/2009)
04/02/2009		Case reassigned for case referral to Magistrate Judge David S. Cayer. (bsw) (Entered: 04/02/2009)
03/25/2010	<a href="#">36</a>	NOTICE of Appearance by Lily Sara Farel on behalf of US Department of Defense (Farel, Lily) (Entered: 03/25/2010)
03/26/2010	<a href="#">37</a>	MOTION for Extension of Time to Review and Supplement ( <i>Motion for Leave to</i> ) by US Department of Defense.Responses due by 4/12/2010. (Attachments: # <a href="#">1</a> Exhibit Declaration, # <a href="#">2</a> Proposed Order)(Folio, Joseph). Motions referred to David S. Cayer. (Entered: 03/26/2010)



03/26/2010	<a href="#">3</a> <a href="#">8</a>	Consent MOTION for Leave to File <i>Corrected Vaughn Index</i> by US Department of Defense.Responses due by 4/12/2010. (Attachments: # <a href="#">1</a> Exhibit Corrected Vaughn Index, # <a href="#">2</a> Proposed Order)(Folio, Joseph). Motions referred to David S. Cayer. (Entered: 03/26/2010)
03/29/2010		<b>TEXT-ONLY ORDER granting <a href="#">38</a> Motion for Leave to File <i>Text of Order: For good cause shown, and with the consent of the plaintiff, the Court hereby GRANTS the defendant's motion. The amended Vaughan Index is deemed filed in stanter. So Ordered. Entered by Chief Judge Robert J. Conrad, Jr on March 29, 2010. (mo)</i></b> (Entered: 03/29/2010)
04/03/2010	<a href="#">3</a> <a href="#">9</a>	RESPONSE in Opposition re <a href="#">37</a> MOTION for Extension of Time to Review and Supplement ( <i>Motion for Leave to</i> ) MOTION for Extension of Time to Review and Supplement ( <i>Motion for Leave to</i> ) by Jeffrey Davis. Replies due by 4/13/2010. (Daly, George) (Entered: 04/03/2010)
04/13/2010	<a href="#">4</a> <a href="#">0</a>	REPLY to Response to Motion re <a href="#">37</a> MOTION for Extension of Time to Review and Supplement ( <i>Motion for Leave to</i> ) MOTION for Extension of Time to Review and Supplement ( <i>Motion for Leave to</i> ) by US Department of Defense. (Farel, Lily) (Entered: 04/13/2010)
05/06/2010	<a href="#">4</a> <a href="#">1</a>	<b>ORDER denying <a href="#">37</a> Motion for Extension of Time to Review and Supplement. Signed by Chief Judge Robert J. Conrad, Jr on 5/6/10. (chh)</b> (Entered: 05/06/2010)
05/06/2010	<a href="#">4</a> <a href="#">2</a>	<b>ORDER granting in part and denying in part <a href="#">22</a> Motion for Summary Judgment ; granting in part and denying in part <a href="#">28</a> Motion for Summary Judgment. Within 30 days, Defendants are directed to file documents as set forth in Order. Signed by Chief Judge Robert J. Conrad, Jr on 5/6/10. (chh)</b> (Entered: 05/06/2010)
06/07/2010	<a href="#">4</a> <a href="#">3</a>	RESPONSE re <a href="#">42</a> Order on Motion for Summary Judgment,,, by US Department of Defense. (Attachments: # <a href="#">1</a> Exhibit A: JDG Declaration, # <a href="#">2</a> Exhibit B: JIG Declaration, # <a href="#">3</a> Exhibit C: JMG Declaration, # <a href="#">4</a> Exhibit D: SJA Declaration)(Farel, Lily) (Entered: 06/07/2010)
06/29/2010	<a href="#">4</a> <a href="#">4</a>	<b>ORDER for Production of Documents as set forth in Order. Signed by Chief Judge Robert J. Conrad, Jr on 6/29/2010. (tmg)</b> (Entered: 06/29/2010)
07/13/2010	<a href="#">4</a> <a href="#">5</a>	NOTICE by US Department of Defense re <a href="#">44</a> Order <i>Defendant's Notice of Fulfillment of the Court's Order</i> (Folio, Joseph) (Entered: 07/13/2010)



<b>Transaction Receipt</b>												
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<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	3:07-cv-00492-RJC -DSC									
<b>Billable Pages:</b>	6	<b>Cost:</b>	0.48									